

REMARKS

Reconsideration of the application is requested in view of the above amendments and following remarks. Claims 1, 3, 4, 9, 13, 14, 23 and 26 have been amended. Claims 2, 8 and 30 are canceled without prejudice or disclaimer. Claims 1 have been amended to include subject matter from claims 2, 3, 4 and 8. Claim 23 has been amended to include subject matter from at least claims 2 and 30. No new matter has been added.

Claim Objection

Claims 2, 4, 13, 14 and 26 were objected to because they include the term "devised". Claim 2 has been canceled, rendering this objection moot as to that claim. Claims 4, 13, 14 and 26 have been amended to replace the term "devised" with the term "configured".

§ 102 and §103 Rejections

Claims 1-7, 9-29 and 31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mitsuyama (US 6,374,648). Further, claims 8 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mitsuyama in view of Jaeb (US 2002/0003095). Applicants respectfully traverse these rejections. Claims 1 and 23 have been amended to include the limitations of claims 8 and 30. Therefore, the rejections will be address concurrently.

Mitsuyama discloses an antitheft implement having a case A composed of a box body 2, a cover body 4, and a hinge 3. The case A includes fitting grooves 9, 9 formed at an upper side that is opposite the hinge 3. A slider B is used to combine the box body 2 and cover body 4 by being fit into the fitting grooves 9, 9. In order to open the case A, the slider B must be completely removed from the grooves 9, 9. The slider B is an independent piece separate from the case A and is not mounted to the bodies 2, 4.

Mitsuyama fails to disclose or suggest "a lock slide mounted to the first security member and displaceable between an unlocked position wherein the security device can be opened and a locked position for maintaining the security device in the closed position," as required by claims 1 and 23. As noted above, the slider B is not mounted to case A (i.e., to either the box body 2 or the cover body 4). Therefore, Mitsuyama fails to disclose or suggest every limitation of claims 1 and 23 and the claims that depend from them.

Mitsuyama also fails to disclose or suggest that "the lock slide comprises a resilient magnetic material," as required by claims 1 and 23. Jaeb discloses a locking slide element 18 but fails to disclose or suggest a material composition of the locking slide element 18. Jaeb does disclose a element 72 that comprises a magnetic material, but the element 72 does not form any part of the locking slide 10 and is not capable of performing the sliding function of the locking slide element 18. In contrast, the element 72 is firmly attached to a wall 30 of the base 12. The element 72, as part of the immovable base 12, engages a recess in the locking slide element 18 to latch the slide element in the locked position. Therefore, Jaeb fails to remedy the deficiencies of Mitsuyama as it relates to claims 1 and 23.

In view of the above, Applicants submit that Mitsuyama and Jaeb fail to disclose or suggest every limitation of claims 1 and 23 and the claims that depend from them. Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. Any questions regarding this communication can be directed to Applicants' attorney, Gregory A. Sebald, Reg. No. 33,280, at (612) 336.4728.

Respectfully submitted,

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